

1 PHILIP H. BROWN, ESQ.
Nevada Bar No. 6240
2 BROWN LAW OFFICES
3 200 Hoover Ave., Suite #130
Las Vegas, NV 89101
4 Telephone (702) 405-0505
5 Facsimile (866) 215-8145
Phil@Thelasvegasdefender.com
6 Attorney for Defendant Christine Gagnon

7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 * * *

10)
11 UNITED STATES OF AMERICA)

12 Plaintiff,)

13 vs.)

14 CHRISTINE GAGNON. et al.,)

15 Defendants.)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

CASE NO.: 2:13-CR-00355

**STIPULATION TO CONTINUE
SENTENCING HEARING**

(Ninth Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,
Acting United States Attorney, by and through Daniel J. Cowhig, Assistant United States
Attorney, counsel for the United States of America, and Phil Brown, Esq., counsel for
Defendant CHRISTINE GAGNON, that the sentencing hearing scheduled for September 15,
2017 at 9:00 a.m., be continued to a date at the convenience of the Court but in any event no
less than sixty (60) days from the currently scheduled date.

This Stipulation is entered into for the following reasons:

- 1 1) Defendant Christine Gagnon entered into a plea agreement with the United
2 States Attorney's Office that contemplated cooperation in the prosecution of
3 the co-defendants;
4
5 2) Since the setting of the upcoming sentencing date, some issues regarding the
6 paperwork and other factors have caused the defense to need additional time
7 to properly prepare an accurate sentencing memorandum;
8
9 3) The defendant is out of custody and agrees to the continuance of the sentencing
10 hearing;
11
12 4) Additionally, denial of this request for continuance could result in a miscarriage
13 of justice;
14
15 5) This is the ninth request for a continuance of the sentencing hearing;
16
17 6) It is agreed that this request to continue is sought in good faith and not for the
18 purposes of delay.

19 DATED this 12th day of September, 2017.

20 STEVEN W. MYHRE
21 Acting United States Attorney

22 /s/Philip H. Brown
23 PHILIP H. BROWN, ESQ.
24 200 Hoover Ave, Suite #130
25 Las Vegas, Nevada 89101
26 Attorney for the Defendant
27 Christine Gagnon

28 /s/ Daniel J. Cowhig
 DANIEL J. COWHIG
 Assistant United States Attorney

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 * * *

5 UNITED STATES OF AMERICA)

6 Plaintiff,)

7 vs.)

8 CHRISTINE GAGNON, et. al.,)

9 Defendants.)
10)
11)
12)

CASE NO.: 2:13-CR-00355

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

12 **FINDINGS OF FACT**

13 Based upon the pending stipulation of counsel, and good cause appearing therefore, the
14 Court hereby finds:

- 15 1. Christine Gagnon's sentencing is currently set for September 15, 2017;
- 16 2. Defendant Christine Gagnon entered into a plea agreement with the United States
17 Attorney's Office that contemplated cooperation in the prosecution of the co-
18 defendants;
- 19 3. Since the setting of the upcoming sentencing date, some issues regarding the
20 paperwork and other factors have caused the defense to need additional time to
21 properly prepare an accurate sentencing memorandum;
- 22 4. The defendant is out of custody and agrees to the continuance of the sentencing
23 hearing;
- 24 5. Additionally, denial of this request for continuance would likely result in a
25 miscarriage of justice;
- 26 6. This is the ninth request for a continuance of the sentencing hearing;
- 27
28

1 7. It is agreed that this request to continue is sought in good faith and not for the
2 purposes of delay.

3 8. All parties being in agreement and the best interest of justice being served:
4

5 **CONCLUSIONS OF LAW**

6 Based upon the fact that new issues have arisen with regard to the paperwork and other
7 factors and that, due to those issues, Defendant Christine Gagnon needs additional time to
8 prepare an accurate sentencing memorandum, and based upon the fact that counsel to the parties
9 do not object to the continuance, and based on the fact that the denial of this request for
10 continuance would likely result in a miscarriage of justice, the Court hereby concludes:

- 11 1. The ends of justice are served by granting said continuance since the failure to grant
12 said continuance would likely result in a miscarriage of justice.

13 **ORDER**

14 IT IS THEREFORE ORDERED that the sentencing currently scheduled for September
15 15, 2017 at 9:00 a.m., be vacated and continued to Friday, November 17, 2017
16 at the hour of 11:00 a.m. in Courtroom 7C.

17 DATED this the 13th day of September, 2017.

18
19
20
21 
22 _____
23 UNITED STATES DISTRICT JUDGE
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of Brown Law Offices,
Chartered, and is a person of such age and discretion as to be competent to serve papers.

That on 12th day of September 2017, she served an electronic copy of the above and foregoing
STIPULATION TO CONTINUE SENTENCING HEARING (Ninth Request) by electronic
service (ECF) to the person named below:

STEVEN W. MYHRE
Acting United States Attorney

DANIEL J. COWHIG
Assistant United States Attorney
333 Las Vegas Blvd. So., 5th Floor
Las Vegas, NV 89101

/s/ Mary D. Brown

Employee of Brown Law Offices, Chartered